IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1592 OF 2006
IN
INCOME TAX APPEAL (LODGING) NO.1104 OF 2005

The Commissioner of Income-tax
Mumbai City-9, Mumbai. Appellant
vs.
M/s.Pelican Investment Pvt.Ltd. Respondent

Mr.S.M.Shah for the appellant.

CORAM : H.L.GOKHALE &
V.R.KINGAONKAR,JJ.

DATED : 2nd August, 2006

P.C.

Heard Mr.Shah, the counsel in support of the notice of motion. The respondent is not present though served.

2. The motion seeks condonation of delay of 102 days in filing the appeal. An explanation is given in the supporting affidavit and chronological information is given with respect to the steps taken and as to how the delay occurred. We accept the explanation and allow this notice of motion in terms of prayer (a). The delay is condoned. The appeal be numbered and listed for admission on 16th August, 2006 before which the appellant will serve the respondent.

3. The notice of motion stands disposed of accordingly.

(H.L. GOKHALE, J.)

(V. R. KINGAONKAR,J.)